



ATTORNEY DOCKET NO.: KCX-140 (14586)
03768/09323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Anderson, <i>et al.</i>)	Group Art Unit: 1615
)	
Serial No.: 09/745,499)	Examiner: Jyothsna A. Venkat
)	
Filed: December 22, 2000)	Deposit Account: 50-2548
)	
For: A Wiper Containing A)	
Controlled-Release Anti-)	
Microbial Agent)	

REQUEST FOR CONTINUED EXAMINATION AND PRELIMINARY AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY COMMENTS

Dear Sir:

In response to the Advisory Action mailed August 28, 2003, please consider the following Request for Continued Examination and Preliminary Amendment. The response was due on August 30, 2003, therefore, the present response is being submitted with the required two-month extension of time request under 37 C.F.R. § 1.136 to extend the period of response to October 30, 2003. If any further extension of time or additional fees for the accompanying response are required, applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fees, which may be required to Deposit Account 50-2548.

Amendments to the claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.



Practitioner's Docket No. 03768/09323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Anderson, et al.

Application No.: 09/745,499

Group No.: 1615

Filed: December 22, 2000

Examiner: Jyothsna A. Venkat

For: A WIPER CONTAINING A CONTROLLED-RELEASE ANTI-MICROBIAL AGENT

TECH CENTER 1600/2900

PATENT

OCT 20 2003

RECEIVED

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
 - i. Prior to abandonment of the application

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☒ as "Express Mail Post Office to Addressee"

Mailing Label No. EL999246369US (mandatory)

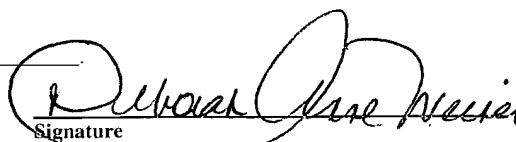
TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

10/20/2003 HAMMED1 00000158 502548 09745499

01 FC:1801

770.00 0P


Signature

Date: October 16, 2003

Deborah Anne Weiner

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

- ii. Payment of the issue fee

Prior to payment of issue fee.

- iii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences

ENCLOSURES

3. Enclosed herewith is:

A Preliminary Amendment (16 pages).

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of other than small entity.

Continued Prosecution Request Fee: 750.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	38	–	42 = 0	x \$ 18.00	= \$	0.00	
INDEP.	3	–	3 = 0	x \$ 84.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 280.00	= \$	0.00	
TOTAL ADDIT. FEE					\$	0.00	

Total additional fee required is \$0.00

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for two months:

Fee: \$410.00

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$750.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$410.00
Total Fee(s) Due:	\$1,160.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Check Number 23546 is attached for the sum of \$1,160.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 50-2548.


INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: October 16, 2003

Reg. No.: 52,284

Tel. No.: 864-250-2298


Signature of Practitioner

Robert S. Thomas
Nelson Mullins Riley & Scarborough
Keenan Building, Third Floor
1330 Lady Street
Columbia, SC 29201



Practitioner's Docket No. 03768/09323

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Anderson, et al.

Application No.: 09/745,499

Group No.: 1615

Filed: December 22, 2000

Examiner: Jyothsna A. Venkat

For: A WIPER CONTAINING A CONTROLLED-RELEASE ANTI-MICROBIAL AGENT

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Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL999246369US

Date of Deposit 10/16/03

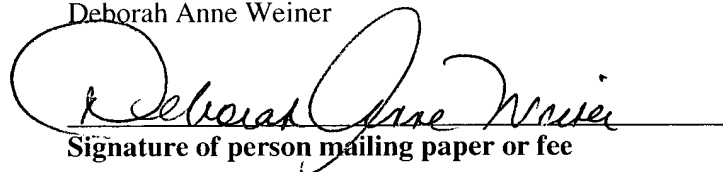
I hereby state that the following *attached* papers and fees:

1. Fee Transmittal (1 page)
2. Petition and Fee for Extension of Time (2 pages)
3. Request for Continued Examination and Preliminary Amendment (18 pages)
4. Check No. 23546 in the amount of \$1,160.00 (1 page)
5. Return Postcard (1 page)

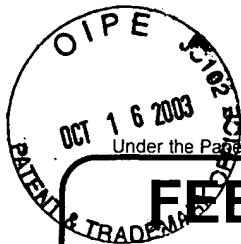
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to :

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Deborah Anne Weiner



Signature of person mailing paper or fee



FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,160.00

Complete if Known

Application Number	09/745,499
Filing Date	December 22, 2000
First Named Inventor	Anderson, et al.
Examiner Name	Jyothsna A. Venkat
Art Unit	1615
Attorney Docket No.	03768/09323

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-2548

Nelson Mullins

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X			
Multiple Dependent Claims		-3** =		X			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	410.00
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	750.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,160.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Robert S. Thomas	Registration No. (Attorney/Agent)	52,284	Telephone	864/250-2298
Signature		Date	October 16, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.